

REMARKS

In this Action, claims 1-16 were determined to be subject to a restriction and/or election requirement as they allegedly pertain to more than one patentably distinct invention. Specifically, the Examiner restricted claims 1-16 to the following:

Group I: claims 1-8, drawn to a method for concentrating *Morinda citrifolia*, classified in class 23, subclass 306; and

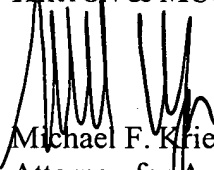
Group II: claims 9-16, drawn to a method for freeze concentrating *Morinda citrifolia*, classified in class 424, subclass 725.

Pursuant to 35 U.S.C. § 121, Applicant wishes to elect, without traverse, the invention of Group II, and corresponding claims 9-16 for prosecution on the merits for the above-identified application.

DATED this 21 day of May, 2003.

Respectfully submitted,

KIRTON & McCONKIE


Michael F. Krieger
Attorney for Applicant
Registration No. 35,232

KIRTON & McCONKIE
1800 Eagle Gate Tower
60 East South Temple Street
Salt Lake City, Utah 84111
(801) 328-3600 telephone
(801) 321-4893 facsimile

CLJ:lah

#684867 v1 - 05/06/03 response to Pat OA